



**NORTH YORK COMMUNITY COUNCIL
DECISION DOCUMENT
MEETING 8**

Report 8 to be considered by City Council on October 26, 27 and 28, 2005

Date of Meeting: October 18, 2005
Time: 9:30 a.m.
Location: Council Chambers
North York Civic Centre
5100 Yonge Street
Toronto, Ontario

Enquiry: Francine Adamo
Committee Administrator
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This Decision Document is for preliminary reference purposes only. Please refer to the Committee's Report to City Council or to the minutes for the official record.

How to Read the Decision Document

- *recommendations of the Committee to City Council are in bold type after the item heading;*
- *action taken by the Committee on its own authority does not require Council's approval – it is reported to Council for information, and is listed in the decision document in bold type under the heading "Action taken by the Committee"; and*
- *Declarations of Interest, if any, appear at the end of an item.*

Minutes Confirmed – Meeting of September 19, 2005

Communications/Reports:

1. **Boulevard Leasing Agreement – 1887 Avenue Road (Ward 16 – Eglinton-Lawrence)**

(Report 8, Clause 1)

The North York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (September 20, 2005) from the Manager, Municipal Licensing and Standards Division, North York District, and that the request by Daniel Johnson, Architect Inc. for Starbucks Coffee Co. to lease a portion of the municipal boulevard at 1887 Avenue Road for the purpose of a boulevard patio café, be approved, subject to the following conditions:

- (1) that the applicant enter into a Boulevard Lease Agreement with the City for a Patio Café license to the satisfaction of the City Solicitor and the Executive Director of Municipal Licensing and Standards;**
- (2) that the Boulevard Lease Patio Café license be renewable on an annual basis with the appropriate insurance in place and any required fees being paid;**
- (3) that a Street Allowance construction permit, as necessary, be acquired for any resurfacing of the area of occupancy, or attachment to or alteration thereof;**
- (4) that no claims will be made against the City by the owner(s) for damages occurring to the area of encroachment or its elements during snow removal;**
- (5) that the occupancy permitted by the license is to be removed by the owner, at the expense of the licensee, within 30 days of receiving written notice from the Executive Director of Municipal Licensing and Standards;**
- (6) the licensee agrees that the City, or any gas, telephone, telegraph, electric light or other public utility company, shall have the right at all times to enter upon the permitted encroachment for the purpose of constructing, repairing, maintaining, replacing or removing any sewer, mains, culverts, drains, water pipes, gas pipes, pole wires or other underground services and installations. The licensee shall not be entitled to any damages or compensation by reason of the exercise of the City and utility company's rights; and the licensee, at his own expense, shall carry out such alterations or removal of the encroachment as may be directed by the City;**
- (7) in default of the removal not occurring as directed, the City may carry out the removal, at the expense of the licensee, and may recover the costs incurred by legal action or in a like manner as municipal taxes;**
- (8) the licensee under the agreement must provide the City of Toronto with a certificate of insurance evidencing a third party bodily injury and property damage insurance in an amount not less than \$2,000,000.00 or such other coverage and greater amount as the City may require, and naming the City of Toronto as an additional insured party under the policy;**
- (9) the licensee will, at his expense and to the satisfaction of the Executive Director of Municipal Licensing and Standards, keep and maintain the boulevard café enclosure and all or any of its components in a good and proper state of repair and safety, and will not make any additions or modifications beyond what is allowed, pursuant to the terms of the License permit;**
- (10) the licensee pays the following fees:**
 - (a) Application fee of \$250.00; and**

- (b) **Annual fee to the City of Toronto consisting of an annual rate of \$8.99 per square foot (\$96.74 per square metre), including G.S.T.; and**
- (11) **the licensee will secure an endorsement on their business license for a patio café from the Municipal Licensing and Standards Division.**

Report (September 20, 2005) from the Manager, Municipal Licensing and Standards, North York District, reporting a request by Daniel Johnson Architect Inc. for Starbucks Coffee Co. to lease a portion of the municipal boulevard at 1887 Avenue Road, for the purpose of a boulevard patio café.

Recommendations:

Council consider granting a Boulevard Café License permit to lease an area of municipal right-of-way boulevard of 8.38 metres x 1.89 metres for a total of 15.83 square metres, subject to the following conditions:

- (1) that the applicant enter into a Boulevard Lease Agreement with the City for a Patio Café license to the satisfaction of the City Solicitor and the Executive Director of Municipal Licensing and Standards;
- (2) that the Boulevard Lease Patio Café license be renewable on an annual basis with the appropriate insurance in place and any required fees being paid;
- (3) that a Street Allowance construction permit, as necessary, be acquired for any resurfacing of the area of occupancy, or attachment to or alteration thereof ;
- (4) that no claims will be made against the City by the owner(s) for damages occurring to the area of encroachment or its elements during snow removal;
- (5) that the occupancy permitted by the license is to be removed by the owner, at the expense of the licensee, within 30 days of receiving written notice from the Executive Director of Municipal Licensing and Standards;
- (6) the licensee agrees that the City, or any gas, telephone, telegraph, electric light or other public utility company, shall have the right at all times to enter upon the permitted encroachment for the purpose of constructing, repairing, maintaining, replacing or removing any sewer, mains, culverts, drains, water pipes, gas pipes, pole wires or other underground services and installations. The licensee shall not be entitled to any damages or compensation by reason of the exercise of the City and utility company's rights; and the licensee, at his own expense, shall carry out such alterations or removal of the encroachment as may be directed by the City;
- (7) in default of the removal not occurring as directed, the City may carry out the removal, at the expense of the licensee, and may recover the costs incurred by legal action or in a like manner as municipal taxes;

- (8) the licensee under the agreement must provide the City of Toronto with a certificate of insurance evidencing a third party bodily injury and property damage insurance in an amount not less than \$2,000,000.00 or such other coverage and greater amount as the City may require, and naming the City of Toronto as an additional insured party under the policy;
- (9) the licensee will, at his expense and to the satisfaction of the Executive Director of Municipal Licensing and Standards, keep and maintain the boulevard café enclosure and all or any of its components in a good and proper state of repair and safety, and will not make any additions or modifications beyond what is allowed, pursuant to the terms of the License permit.
- (10) the licensee pays the following fees:
 - (i) Application fee of \$250.00
 - (ii) Annual fee to the City of Toronto consisting of an annual rate of \$8.99 per square foot (\$96.74 per square metre), including G.S.T.
- (11) the licensee will secure an endorsement on their business license for a patio café from the Municipal Licensing and Standards Division.

2. Request for Fence Exemption – 74 St. Leonards Crescent (Ward 25 – Don Valley West)

(Report 8, Clause 2)

The North York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (September 29, 2005) from the Manager, Municipal Licensing and Standards Division, North York District, and approve the request for an exemption from the City of Toronto Municipal Code, Chapter 447 Fences, for 74 St. Leonards Crescent, subject to the following conditions:

- (1) when the existing private property fence in the front yard, that is the subject of this application, is replaced, that it be brought into compliance with Chapter 447 or its successor by-law(s);**
- (2) trees, shrubbery, storage or other things placed along the private property front yard fence be limited to 1.0 metres in height so as not to negatively impact the minimum sight line requirements in the by-law;**
- (3) the applicant(s) submit revised documents/plans for the swimming pool enclosure permit for approval by the Chief Building Official; and**

- (4) **any fence or portion thereof on the public road allowance be removed or approved by way of an authorized encroachment agreement with the City.**

Report (September 29, 2005) from the Manager, Municipal Licensing and Standards, North York District, reporting on a request by the owner of 74 St. Leonards Crescent, for an exemption from the City of Toronto Municipal Code, Chapter 447 – Fences.

Recommendations:

It is recommended that the existing private property fence in the front yard at the subject property be approved and the exemption be granted subject to the following conditions:

- (1) when the existing private property fence in the front yard, that is the subject of this application, is replaced, that it be brought into compliance with Chapter 447 or its successor by-law(s); and
 - (2) trees, shrubbery, storage or other things placed along the private property front yard fence be limited to 1.0 metres in height so as not to negatively impact the minimum sight line requirements in the by-law; and
 - (3) the applicant(s) submit revised documents/plans for the swimming pool enclosure permit for approval by the Chief Building Official; and
 - (4) any fence or portion thereof on the public road allowance be removed or approved by way of an authorized encroachment agreement with the City.
3. **Removal of One Privately Owned Tree – 27 Lloydminster Crescent (Ward 24 – Willowdale)**

(Report 8, Clause 3)

The North York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (September 20, 2005) from the General Manager, Parks, Forestry and Recreation Division, and the request for a permit to remove one privately owned Colorado spruce tree at 27 Lloydminster Crescent, be denied.

Report (September 20, 2005) from the General Manager, Parks, Forestry and Recreation, reporting on an application for a permit to remove one Colorado blue spruce tree located on private property, that has been filed by the owner of 27 Lloydminster Crescent, Toronto, Ontario.

Recommendations:

It is recommended that:

- (1) the request for a permit to remove one privately owned Colorado spruce tree at 27 Lloydminster Crescent be denied; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

4. Request for Approval of a Variance from the former City of North York Sign By-law No. 30788, as amended, for the erection of a single faced, off premise ground sign on CP Rail property adjacent to 1100 Leslie Street (Ward 25 – Don Valley West)

(Report 8, Clause 4)

The North York Community Council recommends that City Council adopt the staff recommendation in the Recommendation Section of the report (September 29, 2005) from the Director and Deputy Chief Building Official, North York District.

Report (September 29, 2005) from the Director & Deputy Chief Building Official, North York District, reviewing and making recommendations on a request by Sid Catalano of Pattison Outdoor on behalf of CP Rail for a variance from the former City of North York Sign By-law No. 30788, as amended, to permit the erection of a 3.05 metre (10 feet) by 6.1 metre (20 feet) single faced, off premise illuminated ground sign.

Recommendation:

It is recommended that the request for the variance be refused for the reasons outlined in this report.

- 4(a).** (October 13, 2005) from David A. Blois, Sr. Property Manager, Fengate Property Management Ltd.;
- 4(b).** (October 15, 2005) from David Nichol;
- 4(c).** (October 15, 2005) from Caroline Chan;
- 4(d).** (October 16, 2005) from Andrew Brown;
- 4(e).** (October 17, 2005) from Steve Mercer;
- 4(f).** (October 17, 2005) from Rami Tabetlo;
- 4(g).** (October 17, 2005) from Colin Blacoe; and

4(h). (October 17, 2005) from Alison Gorbould, Toronto Public Space Committee, Clean and Beautiful City Award Recipient.

5. Request for Approval of Variances from the former Borough of East York Sign By-law No. 64-87, as amended, for the erection of a fascia sign at 65 Wicksteed Avenue (147 Laird Drive) (Ward 26 – Don Valley West)

(Report 8, Clause 5)

The North York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (September 29, 2005) from the Director and Deputy Chief Building Official, North York District, subject to the proposed sign for Urban Barn at 65 Wicksteed Avenue being turned-off at 10:00 p.m.

Report (September 29, 2005) from the Director & Deputy Chief Building Official, North York District, reviewing and making recommendations on a request by Kimberly Paterson of DNS Signs Ltd. on behalf of Noble Cherry Development Ltd. for a variance from the former Borough of East York Sign By-law No. 64-87, as amended, to permit the erection of a fascia sign at 65 Wicksteed Avenue.

Recommendations:

It is recommended that:

- (1) the request for the variance be approved for the reasons outlined in this report; and
- (2) the applicant be advised, upon approval of the variance, of the requirement to obtain the necessary sign permit.

6. Request for Approval of Variance from the former City of Toronto Sign By-law No. 297, as amended, for the erection of a double faced, illuminated, off-premise billboard roof sign at 2464 – 2468 Yonge Street (Ward 16 – Eglinton-Lawrence)

(Report 8, Other Items Clause 31(a))

The North York Community Council deferred the report to its next meeting on November 15, 2005.

Report (September 28, 2005) from the Director & Deputy Chief Building Official, North York District, reviewing and making recommendations on a request by Steve Wolowich of Viacom Outdoors, on behalf of Harry and Marina Cholakis, for a variance from the former City of Toronto Sign By-law No. 297, as amended, to permit the erection of a 10 feet by 20 feet double faced, illuminated, off-premise billboard roof sign.

Recommendations:

It is recommended that the request for variance be refused for the reasons outlined in this report.

- 6(a). (October 16, 2005) from Andrew Brown;
- 6(b). (October 15, 2005) from David Nichol;
- 6(c). (October 15, 2005) from Caroline Chan; and
- 6(d). (October 17, 2005) from Rami Tabetlo.

- 7. **Request for Approval of a Variance from the former City of North York Sign By-law No. 30788, as amended, for the erection of two Land Development signs on a City-owned lot northeast corner of Don Mills and Eglinton Avenue East (Ward 26 – Don Valley West)**

(Report 8, Clause 6)

The North York Community Council recommends that this matter be submitted to City Council without recommendation in order to allow the applicant an opportunity to approach the private property owners in an effort to arrange temporary sign placement on their properties.

Report (September 29, 2005) from the Director & Deputy Chief Building Official, North York District, reviewing and making recommendations on a request by Jeffrey Streisfield of East Wynford Development Inc. for a variance from the former City of North York Sign By-law No. 30788, as amended, to permit the erection of two Land Development signs on a City-owned lot at the above location.

Recommendation:

It is recommended that the request for the variance be refused for the reasons outlined in this report.

8. Request for a Variance to the 1.0 Metre Side Yard Setback – 51 Nash Drive (Ward 9 – York Centre)

(Report 8, Clause 7)

The North York Community Council recommends that City Council:

- (1) not adopt the report (October 3, 2005) from the Director, Transportation Services, North York District; and**
- (2) approve the request for a variance from the residential driveway policy to permit the widening of the existing driveway entrance at 51 Nash Drive from 4.9 metres to 5.96 metres.**

Report (October 3, 2005) from the Director, Transportation Services, North York District, reviewing a request to widen the existing driveway entrance at 51 Nash Drive from 4.9 metres to 5.96 metres.

Recommendation:

It is recommended that the request for a variance from the residential driveway policy be denied.

9. Request for an Exemption from Chapter 248 of the former City of Toronto Municipal Code to permit driveway widening for a second parking space at 349 Briar Hill Avenue (Ward 16 – Eglinton-Lawrence)

(Report 8, Other Items Clause 31(b))

The North York Community Council deferred the report to its next meeting on November 15, 2005:

Report (June 13, 2005) from the Director, Transportation Services, North York District, reporting on a request for an exemption from Municipal Code Chapter 248, Parking Licenses, of the former City of Toronto Municipal Code, to permit driveway widening for a second parking space at 349 Briar Hill Avenue, which does not meet the requirements of the Code.

Recommendation:

The application for driveway widening for a second parking space at 349 Briar Hill Avenue be denied.

10. Clean and Beautiful City Appreciation Awards Presentation

(Report 8, Other Items Clause 31(c))

The North York Community Council received the presentation to the recipients of The Clean and Beautiful City Appreciation Award.

The Chair, Councillor Augimeri welcomed the recipients of the Clean and Beautiful City Award. During the presentation, Councillor Augimeri indicated that many people have heard about and participated in Toronto's Clean and Beautiful City Initiative, and for this initiative to be successful, there must be community support and commitment to cleaning up our City. In order to recognize the efforts of residents, a Clean and Beautiful City Appreciation Award was developed.

Councillor Augimeri, subsequently introduced Councillor Jenkins and invited him to present the Clean and Beautiful City Appreciation Award to the following constituents of Ward 25:

- Peter Little
- Ken Duncan
- Dale Antunik and the Tenants of 8, 10 and 12 Broadway Avenue
- Linda Schwarcz and the Staff and Students of Norman Ingram School

Following the presentation of the Awards by Councillor Jenkins, Councillor Augimeri thanked all the participants for their leadership and contribution in making Toronto Clean and Beautiful.

**11. Parking Prohibitions – Wilmont Drive (Ward 8 – York West)
(North York Community Council Report 7, Clause 14)**

(Report 8, Other Items Clause 31(d))

The North York Community Council:

- (1) postponed indefinitely, Clause 14 of North York Community Council Report 7, titled “Parking Prohibitions – Wilmont Drive (Ward 8 – York West)”, containing the report (February 7, 2005) from the Director, Transportation Services, North York District; and**
- (2) received the communication (October 4, 2005) from the City Clerk.**

Communication (October 4, 2005) from the City Clerk, advising that City Council, on September 28, 29 and 30, 2005, referred Clause 14 of North York Community Council Report 7, titled “Parking Prohibitions – Wilmont Drive (Ward 8 – York West)”, back to the North York Community Council for further information:

12. All Way Stop Control – Apache Trail and Yucatan Road (East leg) (Ward 33 – Don Valley East)

(Report 8, Clause 8)

The North York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (September 29, 2005) from the Director, Transportation Services, North York District.

Report (September 29, 2005) from the Director, Transportation Services, North York District, seeking approval to install an all way stop control at the intersection of Apache Trail and Yucatan Road (east leg).

Recommendations:

It is recommended that:

- (1) Schedules XVIII and XIX of By-law No. 31001, of the former City of North York be amended to require traffic to stop on all approaches to the intersection of Apache Trail and Yucatan Road (east leg); and
- (2) the appropriate City officials be authorized to take whatever action is necessary to give effect to the foregoing, including the introduction in Council of any Bills that are required.

13. Installation of Traffic Control Signals – Bentworth Avenue and Caledonia Road (Ward 15 – Eglinton-Lawrence)

(Report 8, Clause 9)

The North York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (September 22, 2005) from the Director, Transportation Services, North York District.

Report (September 22, 2005) from the Director, Transportation Services, North York District, seeking approval for the installation of traffic control signals at the intersection of Bentworth Avenue and Caledonia Road.

Recommendations:

It is recommended that:

- (1) Traffic control signals be installed at the intersection of Bentworth Avenue and Caledonia Road; and

- (2) The appropriate City officials be authorized and directed to take whatever action is necessary to give effect to the foregoing, including the introduction in Council of any bills that are required.

14. Parking Prohibitions – Gilgorm Road, north of Eglinton Avenue West (Ward 16 – Eglinton-Lawrence)

(Report 8, Clause 10)

The North York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (October 3, 2005) from the Director, Transportation Services, North York District.

Report (October 3, 2005) from the Director, Transportation Services, North York District, seeking approval to amend the existing parking prohibitions on Gilgorm Road.

Recommendations:

It is recommended that:

- (1) the existing one hour maximum parking regulation in effect from 8:00 a.m. to 7:00 p.m., Monday to Friday, on the east side of Gilgorm Road be deleted, from a point 119 metres north of Eglinton Avenue West to New Haven Drive;
- (2) parking be permitted up to one hour maximum, from 8:00 a.m. to 7:00 p.m., Monday to Friday, on the east side of Gilgorm Road, from a point 131.5 metres north of Eglinton Avenue West to New Haven Drive;
- (3) the existing No Parking Anytime prohibition in effect on the east side of Gilgorm Road be deleted, from a point 60 metres north of Eglinton Avenue West to a point 59 metres northerly thereof;
- (4) parking be prohibited anytime on the east side of Gilgorm Road, from a point 60 metres north of Eglinton Avenue West to a point 71.5 metres northerly thereof; and
- (5) the appropriate City officials be authorized and directed to take whatever action is necessary to give effect to the foregoing, including the introduction in Council of any bills that are required.

15. Amendment to Southbound Right Turn Lane Designation and On-Street Parking – Doris Avenue, Greenfield Avenue to Sheppard Avenue East (Ward 23 – Willowdale)

(Report 8, Clause 11)

The North York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (September 28, 2005) from the Director, Transportation Services, North York District.

Report (September 28, 2005) from the Director, Transportation Services, North York District, seeking approval to rescind the southbound right turn lane designations on Doris Avenue at Greenfield Avenue and remove on street parking on the west side of Doris Avenue, between Greenfield Avenue and Sheppard Avenue East.

Recommendations:

It is recommended that:

- (1) Schedule XIII, of By-law No. 31001, of the former City of North York, be amended by deleting the southbound curb lane designation for right turning vehicles only on Doris Avenue at Greenfield Avenue, from the northerly limit of Greenfield Avenue to a point 40 metres north thereof;
- (2) Schedule IX, of By-law No. 31001, of the former City of North York, be amended by deleting the No Stopping Anytime prohibition on both sides of Doris Avenue from the southerly limit of Greenfield Avenue to a point 30.5 metres southerly thereof;
- (3) Schedule IX, of By-law No. 31001, of the former City of North York, be amended by deleting the No Stopping Anytime prohibition on both sides of Doris Avenue from the northerly limit of Sheppard Avenue East to a point 30.5 metres northerly thereof;
- (4) Schedule IX, of By-law No. 31001, of the former City of North York, be amended by deleting the No Stopping, 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m., Monday to Friday, prohibitions on both sides of Doris Avenue, from a point 30.5 metres south of the southerly limit of Greenfield Avenue to a point 30.5 metres north of the northerly limit of Sheppard Avenue East;
- (5) Schedule IX, of By-law No. 31001, of the former City of North York, be amended by installing a No Stopping Anytime prohibition on the east side of Doris Avenue from the northerly limit of Sheppard Avenue East to a point 30.5 metres northerly thereof;
- (6) Schedule IX, of By-law No. 31001, of the former City of North York, be amended by installing a No Stopping Anytime prohibition on the east side of Doris Avenue

from the southerly limit of Greenfield Avenue to a point 30.5 metres southerly thereof;

- (7) Schedule IX, of By-law No. 31001, of the former City of North York, be amended by installing a No Stopping Anytime prohibition on the west side of Doris Avenue from the southerly limit of Greenfield Avenue to the northerly limit of Sheppard Avenue East;
- (8) Schedule IX, of By-law No. 31001, of the former City of North York, be amended by installing a No Stopping, 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m., Monday to Friday, prohibition on the east side of Doris Avenue, from a point 30.5 metres south of the southerly limit of Greenfield Avenue to a point 30.5 metres north of the northerly limit of Sheppard Avenue East;
- (9) The City Solicitor be directed to prepare the appropriate bills for the removal of the metered parking on the west side of Doris Avenue between a point 130.5 metres south of Greenfield Avenue and a point 30.5 metres north of Sheppard Avenue East; and
- (10) The appropriate City officials be authorized to take whatever action is necessary to give affect to the foregoing, including the introduction in Council of any bills that are required

16. Parking Amendments – Cocksfield Avenue, Bathurst Street to Heaton Street (Ward 10 – York Centre)

(Report 8, Clause 12)

The North York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (October 3, 2005) from the Director, Transportation Services, North York District.

Report (October 3, 2005) from the Director, Transportation Services, North York District, seeking approval to amend the parking prohibitions on Cocksfield Avenue, between Bathurst Street and Heaton Street.

Recommendations:

It is recommended that:

- (1) Schedule VIII of By-law No. 31001, of the former City of North York be amended by deleting the No Parking Anytime prohibition on the north side of Cocksfield Avenue, from the westerly limit of Bathurst Street to the easterly limit of Heaton Street;

- (2) Schedule X of By-law No. 31001, of the former City of North York be amended by installing Two Hour Permitted Parking, 8:00 a.m. to 6:00 p.m., Monday to Friday, on the north side of Cocksfield Avenue, from the westerly limit of Bathurst Street to the easterly limit of Heaton Street; and
- (3) the appropriate City officials be authorized to take whatever action is necessary to give affect to the foregoing, including the introduction in Council of any bills that are required

17. Assumption of Services – Subdivision owned by Pleasantville Gardens Inc. – Plan 66M-2381, Subdivision File UDSB-1249 – Doubletree Road (Ward 33 – Don Valley East)

(Report 8, Clause 13)

The North York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (August 15, 2005) from the Director, Development Engineering.

Report (August 15, 2005) from the Director, Development Engineering, advising Council that the municipal services installed under the terms of the Subdivision Agreement for Plan 66M-2381, dated March 12, 2002, between Pleasantville Gardens Inc. and the City of Toronto are in the required condition to be assumed by the City.

Recommendations:

It is recommended that:

- (1) An assumption by-law be passed to assume the municipal services in Subdivision Plan 66M-2381.
- (2) The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

18. Sale of Surplus Land – Located between Nos. 194 and 202 Maplehurst Avenue (Ward 23 – Willowdale)

(Report 8, Clause 14)

The North York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (September 26, 2005) from the Chief Corporate Officer.

Report (September 26, 2005) from the Chief Corporate Officer, authorizing the sale of surplus land located between Nos. 194 and 202 Maplehurst Avenue.

Recommendations:

It is recommended that:

- (1) the Offer to Purchase from Monica LaLomia to purchase the City-owned parcel of vacant land between Nos. 194 and 202 Maplehurst Avenue described as being Part of Lot 94, Plan M-372, (the "Property"), in the amount of \$155,000.00 be accepted, substantially on the terms and conditions outlined in the body of this report, and that either one of the Chief Corporate Officer or the Director of Real Estate Services be authorized to accept the Offer on behalf of the City;
- (2) authority be granted to direct a portion of the proceeds on closing to fund the outstanding expenses related to this Property;
- (3) the City Solicitor be authorized to complete the transaction on behalf of the City, including making payment of any necessary expenses and amending the closing date and other relevant transaction dates to such earlier or later date(s) and on such terms and conditions as she may from time to time consider reasonable.

19. Plan to Enhance Community Amenities in the Baycrest Area (Ward 15 – Eglinton-Lawrence)

(Report 8, Clause 15)

The North York Community Council recommends that City Council adopt the recommendations in the communication (September 26, 2005) submitted by Councillor Moscoe, Ward 15 – Eglinton-Lawrence.

Communication (September 26, 2005) from Councillor Moscoe, Ward 15 – Eglinton-Lawrence, commenting on a plan to enhance community amenities in the Baycrest Area; and recommending that:

- (1) this communication be referred to the Deputy City Manager to co-ordinate a multi-divisional report to the Community Council for review and from there to the appropriate city committees.
- (2) That in so doing, the Deputy City Manager confer with the Director of Education so that matters of reporting and co-ordination with the City and the Board can be resolved.

20. Information Report – Ontario Municipal Board Decision – 167 Brookbanks Drive (Ward 34 – Don Valley East)

(Report 8, Other Items Clause 31(e))

The North York Community Council received the report.

Report (October 3, 2005) from the City Solicitor, reporting on a decision of the Ontario Municipal Board.

Recommendation:

It is recommended that this report be received for information.

21. Information Report – Ontario Municipal Board Decision – 187 Gordon Road (Ward 25 – Don Valley West)

(Report 8, Other Items Clause 31(f))

The North York Community Council received the report.

Report (October 3, 2005) from the City Solicitor, reporting on a decision of the Ontario Municipal Board.

Recommendation:

It is recommended that this report be received for information.

22. Information Report – Ontario Municipal Board Decision – 50 Weybourne Crescent (Ward 25 – Don Valley West)

(Report 8, Other Items Clause 31(g))

The North York Community Council received the report.

Report (October 18, 2005) from the City Solicitor, reporting on a decision of the Ontario Municipal Board.

Recommendation:

It is recommended that this report be received for information.

23. Preliminary Report – OPA & Rezoning Application – 05 142549 NNY 23 OZ – Lansing Residence Inc. – 258, 260, 264 Sheppard Avenue West (Ward 23 – Willowdale)

(Report 8, Other Items Clause 31(h))

The North York Community Council:

(1) approved the staff recommendations in the Recommendations Section of the supplementary report (September 30, 2005) from the Director, Community Planning, North York District, with Recommendation (2), amended as follows:

“(2) notice for the community consultation meeting be given to landowners and residents with 120 metres of the site and the notice area being expanded to include all properties in and directly contiguous to Burnett Avenue to the north, Quilters Road and Pewter Road to the east, the Don River west branch valley to the west, and Johnston Avenue to the south; and that the costs associated with expanding the notice area, be paid by the applicant.”

(2) received the report (September 1, 2005) from the Director, Community Planning, North York District.

Report (September 1, 2005) from the Director, Community Planning, North York District, providing preliminary information on the above-noted applications and seeking Community Council’s directions on further processing of the applications and on the community consultation process.

Recommendations:

It is recommended that:

- (1) staff be directed to schedule a community consultation meeting together with the Ward Councillor.
- (2) notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
- (3) notice for the Public Meeting under the Planning Act be given according to the regulations under the Planning Act.

23(a). Supplementary Report – OPA & Rezoning Application – 05 142549 NNY 23 OZ – Lansing Residence Inc. – 258, 260, 264 Sheppard Avenue West (Ward 23 – Willowdale)

Report (September 30, 2005) from the Director, Community Planning, North York District, providing additional information on the above-noted applications and seeking Community Council's directions on further processing of the applications and on the community consultation process.

Recommendations:

It is recommended that:

- (1) Staff be directed to schedule a community consultation meeting together with the Ward Councillor.
- (2) Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
- (3) Notice for the Public Meeting under the *Planning Act* be given according to the regulations under the *Planning Act*.

24. Preliminary Report – Application to Amend the Official Plan and Zoning By-law – 05 162517 NNY 15 OZ – 1304362 Ontario Limited (E.R.A. Architects Inc.) – 247 Ranee Avenue (Ward 15 – Eglinton-Lawrence)

(Report 8, Other Items Clause 31(i))

The North York Community Council:

- (1) approved the staff recommendations in the Recommendations Section of the report (September 22, 2005) from the Director, Community Planning, North York District; and**
- (2) requested the applicant to meet with the abutting owner to consider a comprehensive development.**

Report (September 22, 2005) from the Director, Community Planning, North York District, providing preliminary information on the above-noted application and seeking Community Council's directions on further processing of the application and on the community consultation process.

Recommendations:

It is recommended that:

- (1) Staff be directed to schedule a community consultation meeting together with the Ward Councillor.
- (2) Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
- (3) Notice for the Public Meeting under the *Planning Act* be given according to the regulations of the *Planning Act*.

25. Request for Direction – Site Plan Control Application – 05 108131 NNY 16 SA – Ravine Permit Application – Sherman Brown Dryer Karol – 224 Lytton Boulevard – Lot 146 and Part of Lot 147, Registered Plan 1532 (Ward 16 – Eglinton-Lawrence)

(Report 8, Clause 16)

The North York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (September 29, 2005) from the Director, Community Planning, North York District.

Report (September 29, 2005) from the Director, Community Planning, North York District, advising the North York Community Council of appeals to the Ontario Municipal Board of these Site Plan Control and Ravine Permit Applications and seeking Council's direction on whether the City Solicitor should be directed to attend the Ontario Municipal Board in support of the position outlined in this report.

Recommendations:

It is recommended that:

- (1) The City Solicitor and appropriate City staff monitor the Ontario Municipal Board (OMB) Hearing on Consent Application B0012/05NY and Minor Variance Applications A0120/05NY, A0121/05NY and A0122/05NY related to the appeal of Site Plan Control Application 05 108131 NNY 16 SA.
- (2) Should the OMB approve the Consent and Minor Variance Applications:
 - (a) The City Solicitor and appropriate City staff be instructed to attend the OMB to support approval of Site Plan Control Application 05 108131 NNY 16 SA, subject to the Notice of Approval Conditions contained in Attachment 7;

- (b) The City Solicitor and appropriate City staff be instructed to attend the OMB to support the approval of the Ravine Permit Application for 224 Lytton Boulevard, dated May 24, 2005; and
- (c) The OMB be requested to withhold its Order until the Site Plan Control Agreement has been executed and registered on title.

26. Status Report – York University Secondary Plan Review (Ward 8 – York West)

(Report 8, Clause 17)

The North York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (October 3, 2005) from the Director, Community Planning, North York District.

Action Taken by the Committee:

The North York Community Council requested:

- (i) the Chief Planner and Executive Director, City Planning Division, to report in some detail directly to City Council for its meeting on October 26, 27 and 28, 2005, on the nature of the York University appeal to the Ontario Municipal Board regarding the new City of Toronto Official Plan; and
- (ii) the Toronto Transit Commission to be directly involved in the York University Secondary Plan review process.

Report (October 3, 2005) from the Director, Community Planning, North York District, providing background information on the York University Secondary Plan update and seeking Community Council's direction on the community consultation process.

Recommendations:

It is recommended that:

- (1) staff be directed to undertake a review of the York University Secondary Plan as provided for in the 2005 Budget;
- (2) a consultation process be established consisting of a series of larger public forums and smaller meetings focused on specific issues or topics and include the local councillor, representatives from the surrounding community, the York University campus, local businesses and employers and meetings of technical advisory committees consisting of appropriate City divisions and external agencies; and

- (3) a recommendation report outlining proposed revisions to the York University Secondary Plan be targeted for the second quarter of 2006.

27. Final Report – Official Plan and Rezoning Application – 05 122557 NNY 34 OZ – Don-Greenbelt Developments – Atkins Group Corporation Architects – 120 Dallimore Circle (Ward 34 – Don Valley East)

(Report 8, Clause 18)

The North York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (September 29, 2005) from the Director, Community Planning, North York District, subject to:

- (1) **the attached draft Zoning By-law Amendment being amended to read as follows:**

“64.20-A(84)(f)

- (f) **the maximum gross floor area for all lands zoned RM1(10) and RM6(84) shall be 46,722.4m²”; and**
- (2) **best efforts being made to give Notice of Approval of Conditions for Site Plan, from the Director, Community Planning, North York District, prior to December 6, 2005.**

Report (September 29, 2005) from the Director, Community Planning, North York District, reviewing and recommending approval of an application to amend the Official Plan and the Zoning By-law for a 9 storey, 201 unit condominium building at 120 Dallimore Circle.

Recommendations:

It is recommended that:

- (1) City Council amend the Official Plan for the former City of North York substantially in accordance with the draft Official Plan Amendment attached as Attachment No.8.
- (2) City Council amend Zoning By-law 7625 for the City of North York substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No.9;
- (3) City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required.

- (4) Before introducing the necessary Bills to City Council for enactment, require the applicant to obtain Notice of Approval Conditions for Site Plan, from the Director, Community Planning, North York District.
- 27(a).** Communication (October 2, 2005) from William and Joan Thorsteinson
- 27(b).** Communication (October 13, 2005) from Stan and Louise Stevenson;
- 27(c).** Communication (October 17, 2005) from Afreen Daruwalla;
- 27(d).** Communication (October 17, 2005) from Nazenda and Konstantin Hadziristic;
- 27(e).** Communication (October 17, 2005) from Mary Beth and Paul McLean;
- 27(f).** Communication (October 17, 2005) from Helen Crippin;
- 27(g).** Communication (October 17, 2005) from Mona Kleperis;
- 27(h).** Communication (October 17, 2005) from Jean Low;
- 27(i).** Communication (October 16, 2005) from Josephine Bella, on behalf of residents of 129 Dallimore Circle;
- 27(j).** Communication (October 17, 2005) from Sal Dhanji;
- 27(k).** Communication (October 17, 2005) from Boris & Elizabeth Shields;
- 27(l).** Communication (October 18, 2005) from Paul Bies;
- 27(m).** Communication (October 18, 2005) from Jessica Mack;
- 27(n).** Communication (October 18, 2005) from Michael Tucker;
- 27(o).** Communication (October 18, 2005) from Richard Reyes; and
- 27(p).** Communication (October 18, 2005) from Alba Briceno.

28. Final Report – Rezoning Application – 05 114048 NNY 34 OZ – Plan of Subdivision – 05 114052 NNY 34 SB – Rob Anderson, Carson Woods Architect Limited, Carson Woods, Carson Woods Architects Limited - 78 Tisdale Avenue (Ward 34 – Don Valley East)

(Report 8, Clause 19)

The North York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (August 29, 2005) from the Director, Community Planning, North York District.

Report (August 29, 2005) from the Director, Community Planning, North York District, reviewing and recommending approval of an application to amend the Zoning By-law and provide a new public road for 24 townhouse units at 78 Tisdale Avenue.

Recommendations:

It is recommended that:

- (1) City Council amend the Zoning By-law 7625 for the former City of North York substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 9.
- (2) City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
- (3) Before introducing the necessary Bills to City Council for enactment, require the applicant to obtain Notice of Approval Conditions for Site Plan, from the Director, Community Planning, North York District.
- (4) Prior to the issuance of any building permit, the applicant shall satisfy all conditions of Subdivision approval as approved by the Chief Planner, City Planning.
- (5) City Council be advised that the Chief Planner, who has been delegated authority to approve plans of subdivision, intends to approve the draft plan of subdivision, subject to the following conditions:
 - (i) that this proposal applies to the draft plan of subdivision prepared by Omari Mwinyi Surveying Ltd., Ontario Land Surveyors, Project No. 05-001, received August 24, 2005.
 - (ii) that Street A, Blocks 3 and 4 shall be dedicated as a public highway on the final plan;
 - (iii) that Block 6 shall be dedicated and shown on the final plan as a municipal 0.3m reserve;

- (iv) that the owner grant all easements as may be required for the provision of services and utilities to the authority having jurisdiction;
- (v) the appropriate and applicable standard conditions of approval for subdivisions shall apply as outlines in Attachment No.10;
- (vi) that the Owner agree to carry out or cause to carry out the subdivision conditions and requirements of the Technical Services Division and Transportation Services Division, Works and Emergency Services as stated in their memorandum dated September 16, 2005 and any addendums to this memorandum thereafter,
- (vii) Prior to final subdivision approval, the owner shall deposit a Letter of credit or certified cheque to the Technical Services Division for the estimated cost of \$27,000.00 for the construction of a 1.7m wide sidewalk on Tisdale Avenue down to Bartley Drive located 1.0 metre from the streetline and a certified cheque in the amount of \$810.00 for the 3% engineering review fee for the above construction works.

29. Final Report – OPA & Rezoning Application – 04 176174 NNY 23 OZ – Cityzen Development Group – Rafael + Bigauskas - 25 Buchan Court (Ward 33 – Don Valley East)

(Report 8, Other Items Clause 31(j))

The North York Community Council:

- (1) adjourned its public meeting under the *Planning Act* until November 15, 2005; and**
- (2) requested the Director, Community Planning, North York District, to report back to the North York Community Council for its meeting on November 15, 2005, in order to provide a further explanation on why the height does not impact on the adjacent low density area to the north, and to give consideration to the height limits in the Official Plan that relate to the south-west corner of Sheppard Avenue East and Leslie Street.**

Report (September 28, 2005) from the Director, Community Planning, North York District, recommending approval of a condominium development comprised of 2 apartment buildings, 16 storeys and 18 storeys in height containing 650 units and 45 townhouses.

Recommendations:

It is recommended that City Council:

- (1) Amend the Official Plan for the former City of North York substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 9.

- (2) Modify the City of Toronto Official Plan substantially in accordance with the draft Official Plan Modification attached as Attachment No. 10, and authorize the City Solicitor to take any necessary actions at the Ontario Municipal Board hearing to have the modification approved.
- (3) Amend Zoning By-law 7625 for the former City of North York substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 11.
- (4) Authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required.
- (5) Before introducing the necessary Bills to City Council for enactment the owner shall enter into an agreement with the City of Toronto, in a form satisfactory to the City Solicitor, to ensure the private street is publicly accessible.
- (6) Not oppose the private street proposed for the development at 25 Buchan Court.
- (7) Before introducing the necessary Bills to City Council for enactment, the owner shall enter into an agreement with the City of Toronto in a form satisfactory to the City Solicitor to secure the following:
 - (a) \$90,000 for the redevelopment of Clovercrest Park including park maintenance and new play equipment;
 - (b) \$15,000 for new lighting on the walking trail on the east side of Dallington Ravine;
 - (c) \$90,000 for lighting and landscaping on the south side of Buchan Court;
 - (d) \$100,000 for sidewalk and crosswalk improvements at the Leslie Sheppard intersection;
 - (e) \$90,000 for a landscape feature at the north east corner of Sheppard Avenue and Leslie Street; and,
 - (f) \$10,000 for Traffic Monitoring Program for Sheppard Avenue East
- (8) Before introducing the necessary Bills to City Council for enactment the Bloorview Children's Centre will submit a letter, to the satisfaction of the City Solicitor, undertaking to withdraw their appeal to the City of Toronto Official Plan upon the site specific amendments to the North York Official Plan and Zoning By-law coming into force and the site specific modification to the Toronto Official Plan being brought forward to the Ontario Municipal Board for approval.
- (9) Before introducing the necessary Bills to City Council for enactment the applicant will obtain Notice of the Conditions of Site Plan Approval.

- (10) Authorize the City Solicitor to introduce the necessary Bills to Council to give effect to these recommendations and to prepare the agreements referred to.
- 29(a).** Communication (October 13, 2005) from Ayse Melen;
- 29(b).** Communication (October 14, 2005) from Brian V. Ralph;
- 29(c).** Communication (October 14, 2005) from Ross Skelton;
- 29(d).** Communication (October 16, 2005) from John and Noreen Brooker;
- 29(e).** Communication (October 15, 2005) from Varinia Vartolas;
- 29(f).** Communication (October 15, 2005) from Randy Ernst;
- 29(g).** Communication (October 14, 2005) from John Hsin;
- 29(h).** Communication (October 17, 2005) from Desmond, Rich, Jodi, Anne & Jenna Vieira;
- 29(i).** Communication (October 17, 2005) from Raymond Naismith;
- 29(j).** Communication (October 17, 2005) from Raymond Naismith, forwarded by Mayor Miller;
- 29(k).** Communication (October 17, 2005) from Cameron Ridler;
- 29(l).** Communication (October 17, 2005) from Paul L'Heureux, Chairman, Board of Directors, Speech Foundation of Ontario;
- 29(m).** Communication (October 17, 2005) from Desmond Vieira;
- 29(n).** Communication (October 18, 2005) from Brian Ralph; and
- 29(o).** Communication (October 18, 2005) from Michael MacNeil.

30. Two Way Centre Left Turn Lane/Right Turn Lane Designation – Thorncliffe Park Drive (Ward 26 – Don Valley West)

(Report 8, Clause 20)

The North York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (October 11, 2005) from the Director, Transportation Services, North York District.

Report (October 11, 2005) from the Director, Transportation Services, North York District, seeking approval to introduce a two way centre turn lane on Thorncliffe Park Drive and designate traffic movements at the intersection of Thorncliffe Park Drive and Overlea Boulevard (east leg).

Recommendations:

It is recommended that:

- (1) the centre lane be designated as a two way left turn lane on Thorncliffe Park Drive, from a point 55 metres south of Overlea Boulevard (west leg) to a point 55 metres south of Overlea Boulevard (east leg);
- (2) the northbound curb lane on Thorncliffe Park Drive (east leg), between the southerly limit of Overlea Boulevard and a point 80 metres southerly thereof, be designated for right turns only; and
- (3) the appropriate City officials be authorized and directed to take whatever action is necessary to implement the foregoing, including the introduction in Council of any Bills that are required.

31. Request for a Variance to the 1.0 metre Side Yard Setback – 3 Jennifer Court (Ward 9 – York Centre)

(Report 8, Clause 21)

The North York Community Council recommends that City Council:

- (1) not adopt the report (October 5, 2005) from the Director, Transportation Services, North York District; and**
- (2) approve the request for a variance from the residential driveway policy to widen the existing driveway entrance at 3 Jennifer Court from 5.3 metres to 7.0 metres.**

Report (October 5, 2005) from the Director, Transportation Services, North York District, reporting on a request to widen the existing driveway entrance at 3 Jennifer Court from 5.3 metres to 7.0 metres.

Recommendation:

It is recommended that the request for a variance from the residential driveway policy be denied.

32. Ontario Municipal Board Hearing – Committee of Adjustment Application – Amir Charmch – 123 Nipigon Avenue (Ward 24 – Willowdale)

(Report 8, Clause 22)

The North York Community Council recommends that City Council adopt the Resolution submitted by Councillor Shiner, Ward 24 – Willowdale:

Resolution submitted by Councillor Shiner, Ward 24 – Willowdale, for consideration by the North York Community Council:

“WHEREAS the Committee of Adjustment for the City of Toronto (North York Panel) refused a severance application by Amir Charmch, the owner of 123 Nipigon Avenue, for consent to sever a residential property fronting onto the south side of Nipigon Avenue into two residential properties having frontages of 11.43m;

WHEREAS the Committee of Adjustment for the City of Toronto (North York Panel) refused the two associated variance applications requesting variances for lot frontage and width; lot area; the floor entrance of the garage located below the elevation of the centre line of the road; lot coverage; deck height and side yard setbacks.

WHEREAS Planning staff commented the creation of smaller lots to severance is not desirable or appropriate in this instance and recommended refusal;

WHEREAS the applicant has appealed the decisions of the Committee of Adjustment for the severance and minor variance applications to the Ontario Municipal Board;

WHEREAS no date has been set for the hearing of the appeals;

THEREFORE BE IT RESOLVED that Council authorize the City Solicitor and City Planning staff to attend the Ontario Municipal Board hearing to uphold the City’s By-law and the Committee of Adjustment’s decisions.”

33. Information Report - Ontario Municipal Board Decision – 1 Marcia Avenue (Ward 15 – Eglinton-Lawrence)

(Report 8, Other Items Clause 31(k))

The North York Community Council received the report.

Report (October 6, 2005) from the City Solicitor, reporting on a decision of the Ontario Municipal Board.

Recommendation:

It is recommended that this report be received for information.

- 34. Information Report – Ontario Municipal Board Decision – Applications for Official Plan Amendment - Zoning By-law and Plan of Subdivision – Elderbrook Developments Ltd. – Northwest corner of Finch Avenue West and York Gate Blvd. (Ward 8 – York West)**

(Report 8, Clause 23)

The North York Community Council recommends that City Council instruct the City Solicitor to defend in Divisional Court, Council’s recommendation for half percent (½%) of the construction cost of the development towards the provision of public art in the area.

Action Taken by the Committee:

The North York Community Council requested the Chief Planner and Executive Director, City Planning Division, to report on a Public Art Contributions Policy, and that such report be tabled at the Planning and Transportation Committee within three months.

Report (October 5, 2005) from the City Solicitor, that pursuant to Clause 15 of the North York Community Council Report 2, adopted by City Council at its meeting held on February 16, 2005, the City Solicitor was instructed to appear before the Ontario Municipal Board (the ‘Board’) in support of the applications but seeking the imposition of Section 37 benefits.

Recommendation:

It is recommended that this report be received for information.

- 35. Narrowing of Pavement on Holland Park Avenue between Oakwood Avenue and Cedric Avenue (Ward 15 – Eglinton-Lawrence – north side of Holland Park Avenue) (Ward 17 – Davenport – south side of Holland Park Avenue)**

(Report 8, Clause 24)

The North York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (October 13, 2005) from the Director, Transportation Services, Etobicoke York District.

Report (October 13, 2005) from the Director, Transportation Services, North York District, reporting on authorizing the narrowing of the road pavement on Holland Park Avenue between Oakwood Avenue and Cedric Avenue, in order to improve pedestrian

amenities through the creation of a grass boulevard to facilitate the planting of in-ground trees.

Recommendations:

It is recommended that:

- (1) approval be given to narrow the pavement on Holland Park Avenue, described as follows:
 - (a) “The narrowing and realignment of the pavement on Holland Park Avenue from Oakwood Avenue to Cedric Avenue from a width of 7.3 metres to a width of 6.3 metres, generally as shown on the attached print of Drawing No. 421F - 8065, dated September, 2005”; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any Bills that may be required.

36. Ontario Municipal Board Hearing – Committee of Adjustment Application A0328/05NY – 8 York Valley Crescent (Ward 25 – Don Valley West)

(Report 8, Other Items Clause 31(l))

The North York Community Council took no action on the Resolution submitted by Councillor Jenkins, Ward 25 – Don Valley West, because the Resolution was withdrawn at the request of Councillor Jenkins.

Resolution submitted by Councillor Jenkins, Ward 25 – Don Valley West:

“WHEREAS the Committee of Adjustment – North York Panel on May 26, 2005 refused a request for variances to permit the construction of a new two storey dwelling at 8 York Valley Crescent; and

WHEREAS this decision was appealed by the owner of the property to the Ontario Municipal Board with a scheduled hearing date for October 24, 2005; and

WHEREAS this application was accompanied by a neutral City Planning staff report; and

WHEREAS this property is located within a special policy area where residents are increasingly concerned about the environmental impacts associated with overbuilding (homes larger than the zoning by-law allows) which prohibit storm water absorption; and

WHEREAS this application involves the removal of a large number of private trees on the property and the injury of other nearby trees;

THEREFORE BE IT RESOLVED THAT the City Solicitor is hereby authorized to attend at the Ontario Municipal Board hearing to uphold the Committee of Adjustment refusal decision.”

37. City of Toronto Appeal – Committee of Adjustment Decision – 60-62 Woburn Avenue (Ward 16 – Eglinton-Lawrence)

(Report 8, Clause 25)

The North York Community Council recommends that City Council adopt the Resolution submitted by Councillor Stintz, Ward 16 – Eglinton-Lawrence.

Resolution submitted by Councillor Stintz, Ward 16 – Eglinton-Lawrence:

“WHEREAS the Committee of Adjustment for the City of Toronto (North District) approved an application by Irina Loganchuk, the owner of 60-62 Woburn Avenue to permit the construction of two new semi-detached dwellings with a modified GFA of 0.85 times the area of the lot on October 6, 2005; and

WHEREAS the Zoning By-law permits a maximum GFA of 0.6 times the area of the lot; and

WHEREAS planning staff and Forestry staff for the City of Toronto did not support the proposal and provided historical background on the property;

WHEREAS several area residents had expressed their disapproval of the application; and

WHEREAS the original application on May 26, 2005 for this property included a GFA of 1.01 times the area of the lot; and

WHEREAS the Committee of Adjustment approved a modified application with a GFA of 0.75 times the area of the lot on May 26, 2005;

NOW THEREFORE BE IT RESOLVED THAT Council authorize the City Solicitor to appeal the decision of the Committee of Adjustment (North District) made on October 6, 2005 regarding 60-62 Woburn Avenue to the Ontario Municipal Board;

AND FURTHER BE IT RESOLVED THAT Council authorize the City Solicitor, Planning staff and Forestry staff to attend the Ontario Municipal Board hearing to uphold the City’s By-law and oppose the Committee’s decision”.

38. Request for Funding for the Caledonia/Castlefield Design Charrette (Ward 15 – Eglinton-Lawrence)

(Report 8, Other Items Clause 31((m))

The North York Community Council referred the motion moved by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, to the Budget Advisory Committee and Policy and Finance Committee, for consideration:

Motion submitted by Councillor Moscoe, Ward 15 – Eglinton-Lawrence:

“WHEREAS the area surrounding the intersection of Caledonia Road and Castlefield Avenue is redeveloping as a highly desirable destination for design and décor shopping, but has done so on a largely incremental/ad hoc basis; and

WHEREAS the emergence of this design and décor district has resulted in pressures on existing infrastructure and building fabrics, as well as creating a tremendous opportunity to develop an appropriate urban design structure to solidify the unique retail character of this area; and

WHEREAS City Council approved funding through the 2005 Budget Process for a design charrette for the Caledonia/Castlefield Design Décor District (CCDDD); and

WHEREAS the City issued a Request for Proposal on June 15, 2005 and a revised Request for Proposal on September 14, 2005 for consulting services to assist the City with this work; and

WHEREAS on both occasions all responses to these Request for Proposals came in over budget; and

WHEREAS undertaking this work still has significant value to the Caledonia/Castlefield Design Décor District (CCDDD) and the surrounding community;

THEREFORE BE IT RESOLVED THAT the 2005 funds allocated for the Caledonia/Castlefield Design Décor District charrette be carried over into the 2006 Budget for the City Planning Division and that an additional \$20,000 be added to the 2006 City Planning Budget for this charrette”.

39. Ontario Municipal Board Hearing – Committee of Adjustment Application – 144 Kingsdale Avenue (Ward 23 – Willowdale)

(Report 8, Clause 26)

The North York Community Council recommends that City Council adopt the Resolution submitted by Councillor Filion, Ward 23 – Willowdale.

Resolution submitted by Councillor Filion, Ward 23 – Willowdale:

“WHEREAS the Committee of Adjustment for the City of Toronto (North York Panel) refused a severance application by Lisa Lo, the owner of 144 Kingsdale Avenue, for consent to sever a residential property fronting onto the north side of Kingsdale Avenue into two residential properties having frontages of 9.9m each;

WHEREAS the Committee of Adjustment for the City of Toronto (North York Panel) refused the two associated variance applications requesting variances for lot frontage and width; lot area, east and west side yard setbacks and below grade garages.

WHEREAS Planning staff commented that the proposal does not meet the intent of the Official Plan and that there are other properties in the study area having frontages similar to the existing lot.

WHEREAS the applicant has appealed the decisions of the Committee of Adjustment for the severance and minor variance applications to the Ontario Municipal Board;

WHEREAS no date has been set for the hearing of the appeals;

THEREFORE BE IT RESOLVED that Council authorize the City Solicitor and City Planning staff to attend the Ontario Municipal Board hearing to uphold the City’s By-law and the Committee of Adjustment’s decisions”.

40. Ontario Municipal Board Hearing – Committee of Adjustment Application – 266 Greenfield Avenue (Ward 23 – Willowdale)

(Report 8, Clause 27)

The North York Community Council recommends that City Council adopt the Resolution submitted by Councillor Filion, Ward 23 – Willowdale:

Resolution submitted by Councillor Filion, Ward 23 – Willowdale:

“WHEREAS the Committee of Adjustment for the City of Toronto (North York Panel) refused a severance application by Joesph Maffei, the owner of 266 Greenfield Avenue,

for consent to sever a residential property fronting onto the north side of Greenfield Avenue into two residential properties having frontages of 7.62m each;

WHEREAS the Committee of Adjustment for the City of Toronto (North York Panel) refused the two associated variance applications requesting variances for lot frontage and width; lot area, lot coverage, lot coverage, building height and east and west side yard setbacks;

WHEREAS Planning staff commented that the proposed development does not meet the purpose and intent of the Official Plan or Zoning By-law, in not minor in nature and is not an appropriate development for the lands and recommended refusal;

WHEREAS the applicant has appealed the decisions of the Committee of Adjustment for the severance and minor variance applications to the Ontario Municipal Board;

WHEREAS no date has been set for the hearing of the appeals;

THEREFORE BE IT RESOLVED that Council authorize the City Solicitor and City Planning staff to attend the Ontario Municipal Board hearing to uphold the City's By-law and the Committee of Adjustment's decisions".

41. Ontario Municipal Board Hearing – Committee of Adjustment Application – 240 and 240A Dunforest Avenue (Ward 23 – Willowdale)

(Report 8, Clause 28)

The North York Community Council recommends that City Council adopt the Resolution submitted by Councillor Filion, Ward 23 – Willowdale.

Resolution submitted by Councillor Filion, Ward 23 – Willowdale:

“WHEREAS the Committee of Adjustment for the City of Toronto (North District) refused an application by Bahman Atif, the owner of 240 and 240 A Dunforest Avenue, for the construction of a new two storey dwelling on each of the subject lots.

WHEREAS variances were requested for dwelling height, finished first floor elevation, below grade garages and lot coverage.

WHEREAS staff conducted a below grade garage study of the surrounding area and commented that the lots had been created by severance. However, staff did not oppose the applications.

WHEREAS the applicant has appealed the Committee's decisions to the Ontario Municipal Board.

WHEREAS no date has been set for the hearing.

THEREFORE BE IT RESOLVED that Council authorize the City Solicitor to retain outside Planning Support and attend the Ontario Municipal Board hearing to uphold the City's By-law and oppose the minor variance applications.”

42. Request for Additional Time to Collect Data and Information – Bridle Path Speed Humps (Ward 25 – Don Valley West)

(Report 8, Other Items Clause 31(n))

The North York Community Council adopted the Resolution submitted by Councillor Jenkins, Ward 25 – Don Valley West.

Resolution submitted by Councillor Jenkins, Ward 25 – Don Valley West:

“WHEREAS at its meeting of July 5, 2005, North York Community Council requested the Director of Transportation Services, North York District to report on a number of items at the North York Community Council meeting of November 15, 2005; and

WHEREAS Transportation staff has met with the Ward 15 and Ward 34 Councillors and EMS staff and determined that some additional data and information needs to be gathered; and

WHEREAS a meeting with affected residents of the Bridle Path Community, The Don Valley East Ratepayers and Residents Inc., The Don Mills Residents Inc., The Victoria Village Community Association and The O’Connor Hills Ratepayers Inc., will be set up for late November or early December to present the results of the collected data.

THEREFORE BE IT RESOLVED THAT this matter be deferred until the North York Community Council meeting of January 2006.”

43. Committee of Adjustment Application A0693/05NY – Northeast corner of Sheppard Avenue East and Bayview Avenue (Ward 24 – Willowdale)

(Report 8, Clause 29)

The North York Community Council recommends:

- (1) that City Council adopt the recommendations of the North York Community Council contained in the confidential communication (October 19, 2005) from the North York Community Council; and**

- (2) that in accordance with the provisions of the Municipal Act, discussions pertaining to this matter be held in camera, because the subject matter relates to personal matters about identifiable individuals, including municipal or local board employees.

44. Request for Study to Determine Best Location for Soccer Stadium in the City of Toronto

(Report 8, Other Items Clause 31(o))

The North York Community Council took no action on this request since the Motion by Councillor Li Preti, Ward 8 – York West, was voted on and lost:

Motion by Councillor Li Preti, Ward 8 – York West:

“WHEREAS F.I.F.A., a world renowned soccer organization has awarded Canada the 2007 Under 20 World Cup, a most prestigious event that will attract world attention to Canada and the City of Toronto; and

WHEREAS The Canadian Soccer Association wishes to locate a soccer stadium in the City of Toronto; and

WHEREAS Maple Leaf Sports and Entertainment (MLSE) strongly endorses a City of Toronto location for a future expansion of a soccer team in the Major League Soccer; and

WHEREAS both Exhibition Place and Downsview are excellent locations to accommodate this venue; and

WHEREAS the soccer community in the GTA shows a preference for a Downsview location; and

WHEREAS \$9.5 million have been committed by the Mayor and Deputy Mayor for a soccer stadium, these funds conditional that it be built on Exhibition Place grounds only; and

WHEREAS in the proximity of Exhibition Place grounds, fans will be competing for parking spaces and transportation demands with Ricoh Coliseum, Rogers Centre, Air Canada Centre, Ontario Place, Exhibition, Molson Indy etc. etc.; and

WHEREAS Downsview would benefit greatly by revitalizing this area with economic development opportunities; and

WHEREAS a 20,000 seat soccer stadium will cost \$65 million on Exhibition Place grounds and only \$50 million at Downsview; and

WHEREAS no feasibility study has been undertaken to determine the best location for a stadium in Toronto; and

THEREFORE BE IT RESOLVED THAT Policy and Finance Committee be requested to endorse a 2-week study to determine the best suited location for a soccer stadium in Toronto at a cost not to exceed \$40,000.00.”

45. Request for Investigation of Breach of Procedure By-law and Council Code of Conduct

(Report 8, Clause 30)

The North York Community Council submits this matter to City Council without recommendation.

Motion, moved by Councillor Shiner, Ward 24 – Willowdale:

“WHEREAS North York Community Council met in-camera at noon today regarding a personnel item;

WHEREAS Councillor Moscoe did attend a portion of the in-camera meeting;

WHEREAS Councillor Moscoe did leave the meeting prior to a vote on the in-camera item;

WHEREAS Councillor Shiner’s office was contacted by a reporter of the Toronto Star during the Community Council’s deliberation of the in-camera item; and

WHEREAS in speaking with the reporter, the reporter advised that Councillor Moscoe gave him a copy of the in-camera item referring to the recommendation proposed in the motion;

THEREFORE BE IT RESOLVED THAT the North York Community Council request the Integrity Commissioner to investigate for a breach of the Procedure By-law and the Member of Council Code of Conduct with respect to disclosing the content of the matter of substance of deliberation of the in-camera meeting.”